

## **REMARKS**

Applicant respectfully requests reconsideration of this application, as amended, and consideration of the following remarks. Claims 1, 7, 9-11, 18 and 22 have been amended. Claims 2, 6, 19 and 23 have been canceled. Claims 1, 3-5, 7-18 and 20-22 remain pending. Claims 1-23 stand rejected under 35 U.S.C. 102(e). Applicant will respond to the provisional double patenting rejection when Application 10/600,884 is actually allowed.

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. A method of navigating a mobile device display comprising: highlighting a first icon in a main portion of the mobile device display; traversing the main portion to a tertiary tab, wherein traversing the main portion to the tertiary tab includes opening the tertiary tray by highlighting the tertiary tab, wherein opening the tertiary tray includes displaying the tertiary tray in the mobile device display, the tertiary tray including at least one scroll button and a second icon; and highlighting the second icon, wherein a single navigation key is used to traverse the main portion and to highlight the second icon, wherein the tertiary tray is adjacent to a vertical edge of the mobile device display. No new matter has been added as a result of these amendments.

### **Rejections**

#### ***Rejections under 35 U.S.C. §102(e)***

Claims 1-23 stand rejected under 35 U.S.C. 102(e) as being anticipated by Salmimaa (US Pat 6,668,177). Applicant respectfully traverses the rejection as set forth in more detail below.

The Salmimaa reference discloses an apparatus and method for displaying a plurality of icons on the display of a mobile terminal are provided. One or more characteristics associated with each icon are compared to one or more context values,

such as time of day, geographic area, or user profile characteristics. Icons that best match one or more context values are represented in a display format that is enlarged in relation to other icons on the display device. The context values may include dynamically changing information, such as a current location of the user, so that as the user moves to a different geographic area, different icons are enlarged on the display device. The icons can correspond to application programs; logos (such as a corporate logo); documents; Web sites; or other objects. The icons can be grouped into a context bar that is displayed along an edge of the display device, and can be arranged in a horizontal, vertical, or mixed fashion. A magnifying glass metaphor can be moved over icons to highlight and select an icon.

Salmimaa's context bar is not that same as Applicant's tertiary tray because Salmimaa's context bar and the icons therein are *always visible* or displayed along the edge of the main display and does not disappear from the main display. The icons in Salmimaa's context bar vary in size and/or prominence when the context values assigned to each of the respective icons is more closely matched. For example, if proximity is a context value associated with an icon, then when the mobile device is physically closer to the source of the icon, the icon is automatically made more prominent.

In sharp contrast, Applicant's tertiary tray and the icons therein are hidden from view unless and until the user navigates to and highlights the tertiary tab to cause the tertiary tray to be displayed. Similarly, the tertiary tray can be selectively closed. Salmimaa's context bar cannot be selectively opened (i.e., displayed) or closed (i.e., not displayed).

Further, there is nothing in Salmimaa's context bar that includes a scroll button or a scrolling function in Salmimaa's context bar. Salmimaa teaches navigating from one icon to another but does not teach scrolling the display to cause additional icons not previously displayed to be displayed.

Accordingly, Applicant respectfully submits that Applicant's invention as claimed in claims 1, 3-5, 7-18 and 20-22 is not anticipated by Salmimaa, and respectfully request the withdrawal of the rejection under 35 U.S.C. §102(e).

### **SUMMARY**

In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact George B. Leavell at (408) 749-6900, ext 6923.


### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 50-0805 (Ref SUNMP327) for any charges that may be due or credit our account for any overpayment. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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